

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

PINGHUA WANG,

Plaintiff,

v.

GEORGIA HIGHLANDS
COLLEGE, BOARD OF REGENTS
OF THE UNIVERSITY SYSTEM OF
GEORGIA,

Defendants.

CIVIL ACTION FILE

NO. 1:12-CV-01280-TWT-GGB

NON-FINAL REPORT AND RECOMMENDATION

This case is before the Court on Plaintiff Pinghua Wang's Application for Default Judgment (Doc. 52). Entry of a default judgment is appropriate only when a party has failed "to plead or otherwise defend" as required by the Federal Rules of Civil Procedure. Fed.R.Civ.P. 55(a). In this case, Defendants complied with the Federal Rules by filing a timely answer and a timely motion to dismiss, as I explained in my report and recommendation dated July 18, 2012 (Doc. 34). Accordingly, I **RECOMMEND** that Plaintiff's Application for Default Judgment (Doc. 52) be **DENIED**. I note that Plaintiff's Application for Default Judgment primarily discusses whether her employment discrimination claims have merit, rather than on whether Defendants have failed to plead or otherwise defend. After the close of discovery,

Plaintiff will have a chance to make those arguments in a motion for summary judgment or at trial.

IT IS SO ORDERED this 28th day of September, 2012.

Gerrilyn G. Brill
GERRILYN G. BRILL
UNITED STATES MAGISTRATE JUDGE